

Certificate of Mailing

I hereby certify that this correspondence is being transmitted via facsimile to 703-308-6916, Office of Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. on this 6th day of January, 2004.



Debra L. Hale

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Examiner: H. Wilkins, III
Amitava Guha and William D. Nielsen, Jr.)	
)	Art Unit: 1742
Serial No.: 09/387,894)	
)	
Filed: September 1, 1999)	
)	
For: IMPROVED DIES FOR DIE)	Attorney Docket No.: 20721/04404
CASTING ALUMINUM AND)	
OTHER METALS)	

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SECOND RENEWED PETITION UNDER C.F.R. §1.181 TO WITHDRAW
ERRONEOUS HOLDING OF ABANDONMENT**

Dear Sir:

This Second Renewed Petition to withdraw an erroneous holding of abandonment is being submitted in response to the Decision on Petition mailed December 9, 2003.

Simply put, the original holding of abandonment was incorrect, because Applicants never received the NOTICE TO FILE CORRECTED APPLICATION PAPERS, Paper No. 15, purportedly mailed by the Office on March 11, 2003.

In this regard, please find attached hereto a copy of the first Renewed Petition to withdraw an erroneous holding of abandonment which Applicants mailed to the Office on September 9, 2003, immediately after learning that the purported abandonment was due to the

failure to respond to this paper rather than the reason identified in the Notice of Abandonment, i.e., the failure to submit new formal drawings. Note that this paper included a duly signed certificate of mailing as well as a return receipt post card, which incidentally has not been received back from the Office at this time. In any event, from the assertions and evidence in this first Renewed Petition, it can be seen that all of the requirements needed for the office to withdraw the original holding of abandonment have been met. *See*, MPEP §711.03(c)II.

Since the NOTICE TO FILE CORRECTED APPLICATION PAPERS, Paper No. 15, was provided to Applicants for the first time in the Decision on Petition of December 9, 2003, Applicants also submit herewith an Amendment Under 37 C.F.R. §1.312 changing the application to avoid the deficiency noted in this paper.

Finally, please disregard the request in the first Renewed Petition for a refund of the previously-submitted petition fee, as it appears that no such fee was ever submitted.

It is believed that no additional fees are due with this Petition. However, if any fees are due in this matter, please charge Deposit Account No. 03-0172.

Respectfully submitted,

Date: _____



John E. Miller, Reg. No. 26,206
Customer No. 24024
Telephone (216) 622-8679
Facsimile (216) 241-0816

Deposited with the United States Postal Service via First Class Mail with sufficient postage in an envelope addressed to Box Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 9th day of September, 2003.

In re U.S. Application of Guha, et al.

Serial No.: 09/387,894

Filed: September 1, 1999

For: IMPROVED DIES FOR DIE CASTING ALUMINUM AND OTHER METALS

Docket No. 20721/04404

Please acknowledge receipt of:

- Transmittal (1 pg.)
- Renewed Petition Under CFR 1.181 to Withdraw Erroneous Holding of Abandonment (2 pgs.)
- Copy of firm docket for 4/9/03 - 4/11/03 (12 pgs.)
- Return receipt postcard

JEM/dlh

{DXH4192.DOC;1}

Please type a plus sign (+) inside this

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Approved for us
Patent and Trademark Office: L

PTO/SB/21 (6-98)
gh 09/30/2000. OMB 0651-0031
DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

09/387,894

Filing Date

September 1, 1999

First Named Inventor

Guha et al.

Group Art Unit

1742

Examiner Name

Nicole Coy

Attorney Docket Number

20721/04404

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Formal Drawing(s)

☐ Licensing-related Papers

☒ Renewed Petition to Withdraw Erroneous
Holding of Abandonment

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence
Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board
of Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Additional Enclosure(s)
(please identify below)

- Copy of firm docket

- Return receipt postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
Or
Individual name

John E. Miller

Signature

John E. Miller

Date

September 9, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed
name

Debra L. Hale

Signature

Debra L. Hale

Date

September 9, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service via First Class Mail, under 37 CFR 1.110, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of September, 2003.

Deke J. Hale

Debra L. Hale

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Amitava Guha and William D. Nielsen, Jr.

Examiner: H. Wilkins, III

Serial No.: 09/387,894

Art Unit: 1742

Filed: September 1, 1999

For: IMPROVED DIES FOR DIE
CASTING ALUMINUM AND
OTHER METALS

Attorney Docket No.: 20721/04404

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RENEWED PETITION UNDER C.F.R. §1.181 TO WITHDRAW
ERRONEOUS HOLDING OF ABANDONMENT**

Dear Sir:

On or about June 2, 2003, Applicant submitted a petition to have the erroneous holding of abandonment in this case withdrawn on the basis that Applicant had, indeed, timely responded to the requirement to submit formal drawings.

In telephone conversations with Mr. Lamont Newsome of the USPTO's Publication Branch, Applicant has now learned that the requirement not responded to was set forth in an office action purportedly mailed by the office on March 11, 2003.

Upon checking, it has now been determined that this office action was never received in the offices of the undersigned's law firm. In this connection, attached is a copy of the firm's

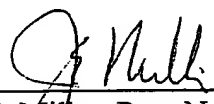
docket sheet for April 10, 2004, the date on which a response to the office action of March 11, 2003, would have been due. In addition, the undersigned confirms that a review of the contents of the firm's file of this application also reveals that this office action was not received.

Since Applicant could not have responded to an office action never received, Applicant requests that the holding of abandonment be withdrawn, the office action of March 11, 2003, remailed, and the period for responding to the new office action restarted with its new mailing date. In addition, Applicant further requests that the petition fee included with the previously-filed petition to withdraw erroneous holding of abandonment be refunded to Applicant.

It is believed that no additional fees are due with this Petition. However, if any fees are due in this matter, please charge Deposit Account No. 03-0172.

Respectfully submitted,

Date: Sept 9, 03



John E. Miller, Reg. No. 26,206
Customer No. 24024
Telephone (216) 622-8679
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Thursday, April 10, 2003

Due Date List By Date

Page: 5

From 4/9/2003 To 4/11/2003

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Case Number CHG Matter #	Client	Country	Attorney(s)	Application Number	Filing Date Subsidiary
10-Apr-2003 Due Date	RE: RECT OF 1ST O.A.?	09-Oct-2001 EXT 1ST O.A. STAT CHECK	2122004024 2122004024	21220 B.F. Goodrich Aerospace	US	LLL WEZ	09/829,125	09-Apr-2001 AERO/SPAC
	Status: Published			Title: DIGITAL PROCESSING SYSTEM INCLUDING A DMA CONTROLLER OPERATING IN THE VIRTUAL ADDRESS DOMAIN AND A METHOD FOR OPERATING THE SAME				
Remarks: STAT LTR MAILED 10/10/02 - REPLY RECD 10/24/02								
10-Apr-2003 Due Date	RE: RECT OF 1ST O.A.?	09-Oct-2001 EXT 1ST O.A. STAT CHECK	2122004034 2122004034	21220 B.F. Goodrich Aerospace	US	LLL WEZ	09/829,019	09-Apr-2001 AERO/SPAC
	Status: Published			Title: PROGRAMMABLE THROTTLE TIMER WITH FINE RESOLUTION				
Remarks: STAT LTR MAILED 10/10/02; REPLY RECD 10/28/02								
10-Apr-2003 Due Date	RE: RECT OF 1ST O.A.?	07-Nov-2001 EXT 1ST O.A. STAT CHECK	2122004040 2122004040	21220 B.F. Goodrich Aerospace	US	LLL WEZ	09/860,357	07-May-2001 AERO/SPAC
	Status: Published			Title: EMBEDDED DEBUG SYSTEM USING AN AUXILIARY INSTRUCTION QUEUE				
Remarks: STAT LTR MAILED 10/10/02 - REPLY RECD 10/24/02								
10-Apr-2003 Due Date	2MO RESPONSE	10-Feb-2003 US FINAL O.A.	2148804087 2148804087	21488 Tomkins Industries, Inc.	US	CBL JEL	10/043,813	10-Jan-2002
	Status: Published			Title: GUTTER COVER DEVICE				
10-Apr-2003 Reminder	RENEWAL	10-Apr-1984 US RENEWAL (20)	2152800486	21528 Sealy Corporation	US	RR	CC 352,076	26-Feb-1982 STECH
	Status: Registered			Trademark: SUPREMESLEEP				

From 4/9/2003 To 4/11/2003

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Case Number CHG Matter #	Client	Country	Attorney(s)	Application Number	Filing Date Subsidiary
10-Apr-2003 Due Date	1ST EXTENSION	10-Dec-2002	2867904045	28679	US	LLL BEK DBM	09/971,411	05-Oct-2001
		US FINAL O.A.	2867904045	Bendix Commercial Vehicle				AIR-DRYER
	Status: Pending							Title: PUSH-TO-CONNECT FITTINGS FOR AIR BRAKE RESERVOIR
REMARKS: 59100040								
Remarks: AMEND MAILED 2/7/03; ADV ACTN RECD 3/6/03 Amend filed								
10-Apr-2003 Due Date	FILE RCE?	14-Jan-2003	2867904048	28679	US	LLL BEK DBM	09/924,187	30-Jul-2001
		US ISSUE FEE	2867904048	Bendix Commercial Vehicle				VALVE
	Status: Published							Title: MODULATOR RELAY VALVE ASSEMBLY AND METHOD
Remarks: PSTCD RECT AMEND/ALLOW MAILED 3/14/03 RECD 3/24/03								
10-Apr-2003 Due Date	3 MO FFL/ELECT PUBLICATION	10-Jan-2003	2888804191	28888	US	TEO RRL CJM	60/439,244	10-Jan-2003
		Foreign Filing	2888804191	O-Cedar Brands, Inc.				
	Status: Pending							Title: BROOM WITH SCUFF REMOVER
10-Apr-2003 Due Date	3 MO FFL/ELECT PUBLICATION	10-Jan-2003	2888804192	28888	US	TEO RRL CJM	60/439,191	10-Jan-2003
		Foreign Filing	2888804192	O-Cedar Brands, Inc.				
	Status: Pending							Title: BATHROOM CADDY
11-Apr-2003 Final	FILE PRIOR RIGHTS OPPO BASED	19-Feb-2003	0682105207	06821	ES	JEL DHD MC		27-Feb-1997
		OPPO		RPM, Inc.				TREM/REP
	Status: Registered	DEADLINES						Trademark: ALUMANATION

From 4/9/2003 To 4/11/2003

Due date/ Date Type	Reason for Date	Action Base Date/ Action Type	Case Number CHG Matter #	Client	Country	Attorney(s)	Application Number	Filing Date Subsidiary
11-Apr-2003 Due Date	EXT IDS	04-Jan-2003 IDS EXT	2218806445 2218806445	22188 Swagelok Company	US	LLL DBM BDJ	10/265,279	04-Oct-2002 SWK
				Title: E-COMMERCE WITH DISTRIBUTION BASED SYSTEM				
11-Apr-2003 Due Date	EXT SRCH RPT DUE (FROM WIPO)	11-Feb-2003 EXT SRCH RPT DUE (FROM WIPO)	2272704098 2272704143	22727 Ohio State Research Foundation	WO	PAD KJF	02/32631	11-Oct-2002
				Title: GENE MARKERS FOR BEEF MARBLING AND TENDERNESS				
11-Apr-2003 Due Date	9 MO FFL/ELECT PUBLICATION	11-Jul-2002 Foreign Filing	2272704130 2272704130	22727 Ohio State Research Foundation	US	PAD KJF	60/395,081	11-Jul-2002
				Title: IN VITRO TRANSCRIPTION ASSAY FOR T BOX ANTITERMINATION SYSTEM				
11-Apr-2003 Due Date	RE: RECT OF 1ST O.A.?	11-Jan-2002 EXT 1ST O.A. STAT CHECK	2379704006 2379704006	23797 Fairway Properties	US	CBL JAB	09/903,455	11-Jul-2001
				Title: METHOD AND SYSTEM FOR PROMOTION USING SINGLE FREQUENCY RADIO				
11-Apr-2003 Ren/Due	Next Renewal	11-Apr-1988 Renewal	2641604819	26416 J.M. Smucker Company	CA	JEL KJF	242,068	20-Aug-1957 EOIL
				Trademark: CRISCO & Design				
				Status: Registered				

